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The Canal Crisis

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Typical of the kind of approach the Congress has been forced to take in recent years in the record of piecemeal amendments to the Immigration Act passed in the three Congresses:

Public Law 85-815, adoption of alien orphans and their admission.

Public Law 85-700, authorizing Attorney General to adjust status of bona fide nonimmigrant aliens to permanent residence status.

Public Law 85-697, naturalization of adopted children and spouses of missionaries abroad.

Public Law 85-531, cancellation of departure bonds for nonimmigrants whose status is changed.

Public Law 85-559, status adjustment of Hungarian refugees.

Public Law 85-892, additional visas authorized for certain distressed Portuguese and Netherlands citizens in Azores Islands.

Public Law 86-125, extension of residence exemption for loss of nationality purposes.

Public Law 86-363, entry of certain relatives of U.S. citizens and lawfully resident aliens—updating fourth preference.

Public Law 86-648, resettlement of refugees and escapees and adjusting status of nonimmigrant aliens and extension of nonquota immigrant visas to orphans.

Public Law 87-301, eligible orphans for adoption, excludable aliens, jurisdiction to naturalize, loss of nationality, judicial review of orders of deportation, privileges for veterans of Korean hostilities.

Public Law 87-293, admission of aliens for training Peace Corps members.

Public Law 87-256, Cultural Exchange Act of 1961, section 109.

Public Law 87-885, entry of alien skilled specialists and certain relatives—updating first and fourth preferences.

Against this sorry record, which also includes the need for hundreds of private immigration bills, the hope held out by the hearings this week of a major revision of the act, particularly the national origins quota system based upon the 1920 census. I am a sponsor and cosponsor of three major proposals in this area in the 88th Congress. On July 2, 1963, I introduced, along with Senators KEATING, MORSE, SALTONSTALL, CASE, and SCOTT, S. 1823. I cosponsored S. 747, introduced by Senator HART, and S. 1932, the administration bill which Senator HART later introduced. Other bills for the same purpose have been introduced by other Members. I fervently hope that in the welter of proposals the main point is not lost sight of: that the national origins quota system must be changed in a meaningful way in this Congress.

I believe the major changes which must as a minimum be made are as follows:

First. Modernize the quota number allocation system so that either the quota system itself is gradually eliminated, as the administration bill proposes, or quotas are placed on a current status, based now upon the 1960 census and reallocated after each decennial census, and then pooled when unused. This would eliminate the severe discrimina-

tion against the southern European countries in the present law, which imposes waiting lists dozens of years long on southern and eastern European immigrants while leaving unused and unusable quota numbers for the British Isles and other northern European nations.

Second. Eliminate the quota provisions which discriminate against Asiatic and colonial peoples, a kind of racial discrimination which is akin to that being fought in the great civil rights revolution now going on in our Nation.

Third. Establish a Board of Visa Appeals in the State Department to review questions involving the denial of visas and the application or meaning of State Department regulations applying to immigration.

Fourth. Eliminate the discrimination inherent in the present law's treatment of naturalized, as distinguished from natural-born citizens.

These are, in my judgment, the minimum requirements of a meaningful bill.

Finally, Mr. President, this represents the freedom of movement of people in the world for which we are contending for so strongly in the Atlantic Community. Though this reform of the immigration law has been buried for so very long, it still remains a vital necessity in the international field, as civil rights legislation does in the domestic field, and is very much the same kind of issue. We are discriminating by not offering to certain people in the world, whatever may be their skills, the hospitality of our country, people from Southern and Eastern Europe, from the Asia-Pacific triangle, those in the Caribbean. This is the time to end such discrimination. I welcome the movement in that direction. I will lend myself to it. I am delighted that the President is with such a movement. I hope he will stay with it until it is done.

The act can be amended now. The climate is right for it. We must do it now. It is almost too late, considering the disrepute the United States has suffered in the eyes of the world and the injustice to our citizens whose families and relatives are abroad and who are adversely affected by the existing law.

I earnestly request that the hearings begun this week with testimony from Senators be resumed as soon as possible with public witnesses and then concluded with the reporting of a substantial immigration reform bill at long last.

THE CANAL CRISIS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, we are involved in a most unfortunate situation in Panama. It is to be hoped that the efforts of the Organization of the American States will restore a mutually acceptable peace and order. Certainly the prompt action which the President took at the outbreak of troubles was most constructive. He engaged himself directly in talks by telephone

with the President of Panama in an effort to keep the situation under control. He dispatched to Panama his closest aids on Latin American affairs.

In retrospect, I suppose the incidents which took place or something akin to it might have been anticipated. There have been periodic clashes in and around the Canal Zone, going back almost to the beginning of the century, when the canal was built. Such incidents are almost inevitable when a great and wealthy nation occupies a position of conspicuous privilege in an alien land characterized by great squalor and poverty. And the contrast between life in the Panama Canal Zone—the strip of land 10 miles wide along the isthmus and in the Panamanian towns and cities along the border—has to be seen in order to appreciate how stark it is.

In retrospect, the clash would appear to have been inevitable, too, in the light of the rising tide of nationalism in a small land which for some years has been breaking against the granite wall of a special position regarded as essential to a great nation's security and the discharge of its hemispheric responsibilities. To be sure, communism and Castroism have sought repeatedly to manipulate this tide and the emotional force which it contains. But we will only confound the confusion if we interpret the difficulty wholly or even largely in these terms.

Finally, in retrospect, this incident might have been anticipated in the light of the too long ignored need for expanded facilities for a water crossing between the Atlantic and the Pacific in the narrow southern promontory of North America.

I was interested to note that yesterday the distinguished senior Senator from Oregon [Mr. MORSE] emphasized this need. I shall try to deal with the question a little further. I commend him for raising the question of a second canal, because the time is not too distant when there will be need for a canal of an entirely different character from the one now in operation.

In the present incident, the first order of business, as it has been said, is to dampen passion, to prevent further bloodshed, and to restore order in the region of the zone. But in doing so—and there is every reason to hope that we shall do so—only a breathing spell would have been obtained. We would have achieved nothing of lasting value if this first order of business becomes the last. Too often in the past that has been the sequence. It is to be hoped that such will not be the case in the present incident. If, instead, the significance of this deplorable drama stays with us even as the incident recedes, it may yet serve a constructive purpose.

What this incident tells us in its stark tragedy, what it cries out to us to do is to get busy and to find as quickly as possible reasonable solutions to the conditions which precipitated the tragedy. As noted, there are three basic factors involved:

First. There is the matter of the position of conspicuous privilege in the zone.

Second. There is the matter of the clash of emotional nationalism in a small country and the hard-rock security requirements of a great power with immense hemispheric responsibilities.

Third. There is, finally, the matter of the overdependence of world shipping—our own included—on what is in reality becoming an outdated and inadequate monopoly of transit facilities between the Atlantic and the Pacific in the Caribbean area.

Let me consider each of these factors briefly. The zone itself contains over 30,000 nationals of the United States. These are for the most part workers who operate the canal and their dependents and employees in the various services, such as education and public health, with which the American community in the zone is supplied. The figure also includes several thousand military personnel and dependents associated with the defense of the canal and other military functions in the region.

It is not suggested that these Americans ought to be required to live in squalor and poverty in order that the conspicuous position which they now occupy might be mollified. They have the same right as the rest of us to live in dignity and in decency, and this Government, whose employees they are, has a responsibility to see that they are not denied this right. They also have the same responsibilities as their fellow citizens and if need be they should be reminded that they are not a privileged group apart from the rest of us. Like the rest of us, they are representatives of our Government and employees of the people of the United States.

I turn next to the second factor underlying this deplorable incident—to the clash of the Panamanian nationalism and U.S. security interests and responsibility in the Western Hemisphere. In the present circumstances it seems highly unlikely that this source of tension can be entirely eliminated. But there is no reason whatsoever that it could not be minimized—no reason, provided that we delineate clearly our real national interests in the zone; no reason, provided we do not entrap ourselves in an emotional plot which was already becoming hackneyed in the days of Rudyard Kipling.

We are not in the Panama Canal Zone just to show the American flag which we do and will continue to do. We are not in the zone just to discharge some vague white man's burden. We are not in the zone just to lay claim to a piece of Panamanian real estate.

We are in the Canal Zone solely to operate efficiently and effectively a canal which we built and which is of immense importance to the world's commerce and to our own as a part of it. We are in the zone to see to it that this canal is available for use—as it must be—for safeguarding the security of the United States and the Western Hemisphere. To be sure there can be honest differences of opinion as to how this objective may best be furthered in the light of any given issue. But what is essential is that we consider each issue—whether it be flag flying or pay rates as between Pana-

manian and United States nationals in the zone, or annual payments to Panama and shipping tolls or commissaries, or policing, or whatever—in these terms.

The way not to minimize the difficulties which are bound to arise is to confuse our real objectives with question of a false pride or prestige or hypothetical considerations of the meaning of sovereignty.

The way not to minimize these difficulties is to confuse the interests of the United States as a whole with a personal interpretation of those interests by U.S. nationals resident in the zone.

The way not to minimize these difficulties is to allow specific problems as between ourselves and the Panamanians to fester until they erupt in violence as they have recently done.

The way not to minimize these difficulties is to permit the continuance of the present bureaucratic division of authority and responsibility in and around the zone as among the directors of the Canal Company, the military commands, and the American Ambassador so that there is no single source in the area of the actual U.S. position and no single source of responsibility in any given situation.

Finally, Mr. President, I think it is high time that we face the fact that the Panama Canal is, or soon will be, outmoded in terms of the needs of world shipping and of the defense of the hemisphere. It is moreover destined to become increasingly inadequate as these needs grow in the years ahead. I would point out, for example, that oil tankers which have been built in recent years and which are being built are already too immense for the canal. I would point further that the larger ships of the Navy are in the same position.

I would point out that a single atomic explosion could put the canal, which is not a sea level waterway but which is based on an intricate lock structure, out of commission indefinitely. For years we have discussed the need for a second sea level canal. Sites in Colombia, in Nicaragua, and elsewhere have been studied.

In this connection it has been invariably assumed that the United States would build the second canal and operate it in substantially the same fashion as is now the case in Panama. As far as I am concerned one headache of this is enough for one country.

I would most respectfully suggest to the Senate that we consider an alternative approach to this problem. There has been one site for which preliminary surveys have been made but which has been little discussed. I refer to the sea level route across the Isthmus of Tehuantepec in southern Mexico. While the route as surveyed by Mexican technicians is a long one, construction appears entirely feasible in an engineering sense and in a financial sense as well, particularly if atomic explosives can be used for much of the excavation. Mexico has a strong national interest in the construction of such a canal because of its own topographical shipping problems. Mexico has the stability, the manpower and the skills which would be required for the building and oper-

ation of a trans-Mexican canal. What it lacks is sufficient capital and, perhaps, certain highly technical skills which might be available elsewhere.

It seems to me, Mr. President, that we would be well advised to consider the possibility of a canal across Tehuantepec, built and operated by the Mexican Government. Not only the United States but every maritime nation would have a direct interest in such an undertaking. Indeed, all nations which depend to a greater or lesser degree on maritime shipping would have an interest. It is by no means improbable that a consortium of the principal maritime nations plus the international lending agencies might find this project of sufficient feasibility and interest to all to supply to Mexico—with an excellent credit rating—what might be necessary in funds and skills. If it is feasible the world would find an answer to what is likely to be a most critical shipping need in the near future.

The Mexicans could be counted on, I believe, to administer the affairs of a canal across their territory with a high regard to the international stake involved and with a mature sense of responsibility. For us, Mr. President, the existence of a second water facility between the Atlantic and Pacific would be of immense value from the point of view of security and commerce. And in the context of the availability of an alternative, there is every reason to hope that many of the recurrent and presently insoluble difficulties in Panamanian-United States relations will fall into better perspective.

Mr. JAVITS. Mr. President, first, if the Senator from Montana will allow me to do so, I should like to join him in support of the very interesting suggestion he has made for a canal route through Mexico.

I believe that Mexico, perhaps more than any other nation in Latin America, is reaching the point in economic development where it is awakening to what it can do by way of helping other Latin American nations.

I have visited Mexico, and I have had a good deal of experience in dealing with its people. What the Senator has said is a very interesting and exciting development. I am sure that, with his international experience, the Senator from Montana would be aware of some international body that would assure international accessibility to the canal and the assurance of fair charges at all times. Such an arrangement would be entirely consistent with the sovereignty and dignity of Mexico.

The other point I should like to suggest to the Senator from Montana is with reference to Panama. No American can be anything but deeply saddened by what has taken place in Panama—the deaths and woundings of Americans and Panamanians.

I hope the Panamanian people will understand that, with all these deaths, and the tragedy and the sadness of it all, every country must have some place where it must stand, from which it cannot retreat further.

In my judgment, one thing will help our relations and help us in the negotia-

tions, which I am sure will be carried on in the greatest reasonableness, and that is that, notwithstanding the disparity in size and power of the two countries, the people of Panama will understand that there comes a time in the affairs of nations, as in the affairs of men, when the basic interest and security of a nation must be safeguarded. Altogether too often this means that some people are killed or wounded. However, this fact does not vitiate the justness and essentiality of the fundamental point involved, and that is the indispensability of a canal link between the two coasts of the United States.

I am sure the Senator from Montana, whom I love and respect, and who has this in mind, knows that the people of Panama understand the fact that a great nation can have its back against the wall, too. We can either have the Canal Zone overrun or we can stand and defend it. There is an opportunity for negotiation and an opportunity to reach an adjustment. I hope the people of Panama understand that fact.

I join the Senator from Montana in that expectation; also in his support for our President in his negotiations, which should be characterized by magnanimity and morality, which we feel is so characteristic of the United States, and which we want to make evident in every one of our acts.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "The Panama Lines Harden," published in the New York Times for today. The editorial generally proceeds along these lines of policy.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 15, 1964]

THE PANAMA LINES HARDEN

In Panama the mobs are off the streets, the snipers have stopped firing, calm has been restored—and nothing has been settled. This is a major crisis in American-Panamanian relations in particular, and in Latin American affairs in general. Of course, Communists, Fidelistas and demagogues will take advantage of it. The United States has lost a battle over the Canal Zone. The problem is not to lose the war, or, in other words, not to lose the free and absolutely safe use of the Panama Canal whatever the outcome.

A new situation has arisen and it must be met with new policies and a revised treaty. This does not mean surrender to Panamanian demagoguery. The White House statement that "the United States cannot allow the security of the Panama Canal to be imperiled" is a sound requirement in present circumstances. If, however, it means that President Johnson is going to follow the "hard line" of the Eisenhower and Kennedy administrations and avoid any important treaty changes, a very difficult period lies ahead.

One of the major factors in this tragic affair is the presidential election to be held in Panama on May 10. It is inherent in Panamanian politics that votes are gained by castigating the United States and making extreme demands. This state of affairs antedated the Bolshevik revolution, let alone the Cuban revolution.

Thus, any definite settlement had better be put off until after the elections. Until then Panamanian leaders are going to make

maximum demands. Moreover, if the Panamanians insist on a genuine diplomatic break with the United States it will not be possible to hold direct discussions with them as the White House suggests. Negotiations would have to be held awkwardly and slowly through the Organization of American States.

President Johnson and his advisers need, and should be given, time to think this problem out and decide what policies to follow. Meanwhile they are right to insist on not being "pressured" into treaty revisions by violence. If this explosion has done nothing else it has shown Washington how serious the Panamanian situation is, how bitterly feelings run, and how necessary it is to meet the crisis with understanding. A "hard line" will get nowhere.

Mr. MANSFIELD. I thank the distinguished Senator from New York. I agree with what he has said.

The President of the United States has handled this matter with skillful diplomacy and wise discretion, and his representatives in the negotiations have conducted themselves impeccably.

However, I feel that the need for a second canal has become increasingly evident. The idea is not new; it has been considered for many years. A number of areas for its location have been discussed.

I mentioned Mexico with a particular reason in mind. Of all the major countries in Latin America, it is, in my opinion, the most stable and most advanced; and its revolution is behind it. The Mexicans are trying to do the best they can to increase their gross national product, but are finding it quite difficult, because the lands in the north are semi-arid, while the lands in the south are tropical and need much improvement before large blocs of people can adequately be induced to move there. In addition, the increased birth rate in Mexico has complicated the solution to these problems.

The construction of a canal would be one way in which a solvent government could undertake, if it so desired—and, of course, the decision would be its own—a project of this kind, which is needed, which would bring in revenues, and, most importantly, would be under the control of the country traversed by the waterway.

With all these factors in mind; with the demonstrated need of a second waterway in the immediate future, if not at the moment; and with the need for a sea-level canal rather than a lock-type canal, it seems to me that the most logical place for such construction would be Mexico. Surveys have been conducted on and off for many decades across the Isthmus of Tehuantepec. So I would hope that this proposal would be given careful consideration and, if found meritorious, that the Mexican Government would do what it could to further it.